

10/070387

JC12 Rec'd PCT/PTO 06 MAR 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Naoki MIDOH et al. : Attn: BOX PCT
Serial No. NEW : Docket No. 2002_0317A
Filed March 6, 2002 :

CYCLIC DEPSIPEPTIDE SYNTHETASE AND
GENE THEREOF, AND MASS PRODUCTION
SYSTEM FOR CYCLIC DEPSIPEPTIDE
[Corresponding to PCT/JP00/06103
Filed September 7, 2000]

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in international application no. PCT/JP00/06103.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and

the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
 - b. ☒ a foreign patent office search report (in the English language) submitted herewith,
 - c. ☐ the concise explanation contained in the specification of the present application at page,
 - d. ☐ the concise explanation set forth in the attached English language abstract,
 - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report citing one or more of the references is enclosed along with an English translation of the International Preliminary Examination Report.

Respectfully submitted,

Naoki MIDOH et al.

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FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: March 6, 2002

ATTY DOCKET NO.
2002_0317A

SERIAL NO.
NEW

APPLICANT
Naoki MIDOH et al.

FILING DATE
March 6, 2002

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	780468	6/1997	EP				
	AK	382173	8/1990	EP				
	AL							
	AM	—						
	AN							

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	WECKWERTH, Wolfram et al., "Biosynthesis of PF1022A and Related Cyclooctadepsipeptides", The Journal of Biological Chemistry, June 9, 2000, Vol. 275, No. 23, pp. 17909-17915.
	AP	HAESE, Angela et al., "Molecular characterization of the enniatin synthetase gene encoding a multifunctional enzyme catalysing N-methyldepsipeptide formation in Fusarium scirpi", Molecular Microbiology, March 1993, Vol. 7, No. 6, pp. 905-914.
	AQ	SASAKI, Toru et al., "A new anthelmintic cyclodepsipeptide, PF1022A", The Journal of Antibiotics, May 25, 1992, Vol. 45, No. 5, pp. 692-697.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.